

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

Miguel Angel Cristobal Lopez, et. al.	)	
	)	
Plaintiffs,	)	
	)	
Vs.	)	No. 2:11-cv-113
	)	
Jimmy Carroll Fish d/b/a Fish Farms, et. al.	)	
	)	
Defendants.	)	

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**JOINT MOTION FOR REVIEW AND APPROVAL OF SETTLEMENT AGREEMENT  
AND ENTRY OF STIPULATED JUDGMENT**

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The parties, Plaintiffs, Miguel Angel Cristobal Lopez, Magdaleno Lorenzo Roman Perez, Octavio Carlos Baro Romero, Arturo Baro Romero, Roberto Calvo Rosales, Mauro Ferrer Santiago, Abraham Ocampo Bahena, Vicente Pedraza Reza, Luis Roberto Rogel Hernandez, Ismael Ruiz Zeferino, Giovanni Sanchez Hernandez, Miguel Angel Sierra Everlastico, Guillermo Ruiz Zeferino, Juan Calderon-Langunas, and Defendants, Jimmy Carroll Fish, Walter Jackson Fish and Christine Fish Gilliam (“Fish Farms”), by and through counsel, jointly move this Honorable Court for review and approval of a Settlement Agreement and Release of All Claims resolving all issues among the parties and for the subsequent entry of a Stipulated Judgment. For cause, the parties state:

1. The Plaintiffs filed this suit alleging five separate and distinct claims under two separate federal statutes -- the Fair Labor Standards Act (“FLSA”) and 42 U.S.C. §1981--two separate Tennessee statutes -- the Tennessee Public Protection Act (“TPPA”) and the Tennessee

Human Rights Act (“THRA”) and one common-law claim for breach of contract.

2. This Honorable Court has dismissed the claims of former plaintiff Francisco Javier Rogel Bedolla against Fish Farms with full and final prejudice to the re-filing of the same, and he no longer is a party to the Lawsuit.

3. The parties have reached a Settlement Agreement and Release of All Claims resolving all claims. The Settlement Agreement and Release of All Claims entered into among the plaintiffs and Fish Farms is attached hereto as *Exhibit A*.

4. In the matter before the Court, there exist *bona fide* disputes as to all of Plaintiffs' claims under the FLSA; 42 U.S.C. §1981; the TPPA; the THRA; and the common-law breach of contract claim. Particularly, with respect to the claim under FLSA, the *bona fide* disputes include the amount of any alleged back pay and liquidated damages. The proposed settlement agreement represents a fair and reasonable resolution of all claims, not just those brought pursuant to the FLSA.

5. Plaintiffs brought this suit in their own right and not on behalf of a class or on behalf of other similarly situated individuals. They represent to the Court that they are satisfied with the Settlement Agreement.

**WHEREFORE**, the parties respectfully request that the Court grant review of the Settlement Agreement and Release of All Claims agreed to by the parties and approve same.

The parties further request that upon approval of the Settlement Agreement, the Stipulated Judgment Approving Settlement Agreement presented by the parties and attached hereto as *Exhibit B* be entered by the Court.

Respectfully submitted,

ARNETT, DRAPER & HAGOOD

By: s/Jay W. Mader

Dan D. Rhea, BPR #005927  
Jay W. Mader, BPR #016199  
**Attorneys for Defendants**  
**Jimmy Carroll Fish d/b/a Fish Farms,**  
**Walter Jackson Fish d/b/a Fish Farms,**  
**and Christine Fish Gilliam d/b/a Fish Farms**  
P. O. Box 300  
Knoxville, Tennessee 37901-0300  
(865) 546-7000 - Voice  
(865) 546-0423 - Facsimile

HUGHES, SOCOL, PIERS, RESNICK  
& DYM, LTD.

By: s/Caryn Lederer, with permission

Matthew J. Piers, Illinois Bar #2206161  
Joshua Karsh, Illinois Bar #6203096  
Caryn Lederer, Illinois Bar #630449  
**Attorneys for Plaintiffs**  
70 W. Madison Street, Ste. 4000  
Chicago, IL 60602  
Telephone: (312) 580-0100  
Fax: (312) 580-1994

SOUTHERN MIGRANT LEGAL SERVICES

By: s/Caitlin Berberich, with permission

Caitlin Berberich, BPR#025780  
**Attorneys for Plaintiffs**  
311 Plus Park Blvd., Suite 135  
Nashville, TN 37217  
Telephone: (615) 750-1200  
Fax: (615) 366-3349

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 1, 2013, a true and exact copy of this pleading or document has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

ARNETT, DRAPER & HAGOOD

By: s/Jay M. Mader